

NMCA National Marine Charter Association

The national voice of the marine charter industry

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Docket Management Facility

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[USCG-2003-14757] * [USCG-2003-14733] * [USCG-2003-14732]

400 Seventh St., S.W.

Room PL-401

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Washington, DC 20590-0001

RE: Supplementary Comments on Marine Charter Issues Relative to Maritime Security Interim Regulations

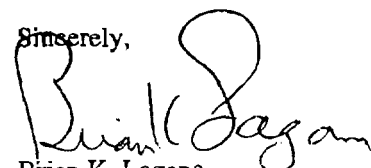
The National Marine Charter Association (NMCA) requests a clearly stated exemption to temporary interim and final maritime security regulations for all uninspected small passenger vessels operating under 46 CFR Subchapter C, and all inspected small passenger vessels operating domestically under 46 CFR Subchapter T. This will help to mitigate the negative impact of non-specific requirements and costs contained in those regulations on the marine charter industry.

After reviewing the U.S. Coast Guard's July 1, 2003 temporary interim rules for maritime security, NMCA believes that Sections 101 through 103 contain undefined requirements for all waterways users, especially those not specifically covered under sections 104 through 106, to generally enhance the security of the maritime domain. Sections 104 through 106, while not currently applicable to most uninspected and inspected small passenger vessels (Subchapter C and T vessels), allude to the potential danger they pose to the maritime environment secured under sections 104 through 106 by their not being regulated. The interim rules imply that further regulation is almost a certainty.

The vague requirements and references in the temporary interim regulations make it difficult for most marine charter firms to determine if and how they must comply with the new maritime security regulations. With that uncertainty comes the inability to accurately calculate what compliance will cost the tens of thousands of small businesses that make up the marine charter industry. The marine charter industry is already overburdened with clearly defined regulations and their related costs, and as NMCA stated in earlier comments, neither Congress nor the U.S. Coast Guard has provided any evidence to justify the expense, time and confusion that these new measures would require, nor the actual benefit to enhancing security that would be derived. Many charter operators are seasonal, with transient crew, and operate close to the margins of profitability. The imposition of costly security requirements on the industry would have the effect of forcing many small operators out of business.

NMCA appreciates the opportunity to provide additional comments on the regulations. Please do not hesitate to contact me on (703) 519-1714 should you have any questions concerning these comments.

Sincerely,



Brian K. Lagana
Director of Government Affairs